United Nations A/52/986

General Assembly

Distr.: General
20 July 1998

Original: English

Fifty-second session
Agenda item 44

The situation of democracy and human rights in Haiti

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 52/174 of 18 December 1997, by which the Assembly renewed the mandate of the United Nations component of the Organization of American States/United Nations International Civilian Mission to Haiti (MICIVIH) until 31 December 1998 and requested me to submit at least two reports on the implementation of the resolution. Prepared in consultation with the secretariat of the Organization of American States (OAS), the report reviews the general situation of human rights and democracy in Haiti and describes the activities of MICIVIH since my report of 18 November 1997 (A/52/687). With a total number of 80 observers, half of whom are recruited by the United Nations, MICIVIH continued to carry out its tasks of providing institutional assistance, helping promote and protect human rights and verifying observance of individual rights and fundamental freedoms. With the reopening of two offices in Port-de-Paix (North-West) and Fort-Liberte (North-East), MICIVIH has re-established a permanent presence in all nine regions of the country.

2. MICIVIH continued to liaise and cooperate with the United Nations Civilian Police Mission in Haiti (MIPONUH) both in Port-au-Prince and in the field. As had preceding peacekeeping missions, MIPONUH provided MICIVIH with logistical and administrative support.

II. General context

3. The political situation continued to be dominated by the electoral and institutional crisis, which has now lasted over a year. So far, the leaders of the former governing coalition have not been able to overcome their political differences and mutual suspicions and to reach a compromise on the April 1997 elections and the formation of a new cabinet. Unfamiliarity with the give and take of the democratic process and rigidity in the interpretation and implementation of the constitution, which require the delicate balancing of competing interests and powers, have combined to impede the resolution of the stalemate. Concerns over the dire social, political and economic consequences of the deadlock have been repeatedly expressed by key national and international actors and good offices are being carried out by a United States facilitator. Consultations with the concerned political sectors have been held by President Preval, but progress has been slow, casting doubts as to the willingness of the parties to achieve a solution.

4. The protracted crisis has taken a toll on the stability of the political institutions that underpin the democratic process and has exacerbated the fragility of State structures. As the centre of these political confrontations, the Parliament has been distracted from its legislative and executive oversight responsibilities and has become increasingly dysfunctional. This has led to widespread but unconstitutional calls for its dismissal. The impartiality and

98-21744 (E) 070898

good faith of the Presidency, which guarantees the smooth functioning of institutions, have been called into question by some sectors, as it assumed the responsibilities of the vacant Prime Minister's office in a manner reminiscent of the traditional presidential-type regime. The Provisional Electoral Council, whose membership has been decimated by resignations and attrition and whose credibility was eroded by constant criticism, financial scandal and internal differences, is virtually moribund. There is broad political consensus that it must be replaced by a new, trustworthy and transparent provisional council. The steady weakening of representative institutions has created a void, which the incipient steps towards decentralization cannot yet fill. Preoccupied by the struggle to survive in a situation which offers little hope of a better future, the population has become apathetic, increasingly estranged by the manoeuvres of political leaders, which, in its view, do not address the fundamental issues of poverty, inflation, unemployment and effective government. Initiatives have been taken by international non-governmental actors, such as the International Peace Academy, to foster dialogue and promote consensus on these and other issues among key representatives of a wide spectrum of political, labour, civil and business sectors. The positive response to these initiatives testified to the need for an all-inclusive dialogue in a spirit of mutual respect, openness and tolerance.

5. There has been no real outbreak of political violence nor increase in political tension. The only noticeable development is a new stridency in the political discourse of some sectors, especially in reaction to looming changes in the configuration of the political landscape, as well as to the re-emergence of actors from political quarantine. However, the continuing crisis has created strains and a general context of diminished State authority, which have impinged on the functioning and consolidation of institutions crucial to the maintenance of law and order and to respect for human rights and the rule of law. The Haitian National Police has had to confront increasing lawlessness and armed crime, a surge in drug-trafficking as well as sporadic incidents of civil disturbance. It has made efforts to maintain discipline and to sanction abuses, but has resorted on occasion to heavy-handed tactics.

6. Popular pressure for action against impunity and for tangible improvements in the administration and distribution of justice continued to mount, bringing into sharper focus the breakdowns and inadequacies of the present judicial system and the resulting violations of due process and other guarantees. The progress made in developing a judicial reform and increasing the efficiency of the current system has fallen short of expectations. The crisis has also hampered development, which conditions the enjoyment of economic and social rights by a huge majority of the population. In short, the country's outward appearance of calm should not detract from the urgent necessity to resume the process of democratization and social and economic development.

III. Institution-building and human rights monitoring

A. Haitian National Police

7. The Haitian National Police continues to implement its programme of institutional consolidation and to make progress in maintaining law and order. The chain of command and the sense of hierarchy have been strengthened further by the deployment of 50 inspectors after four months of training and the issuing of uniforms to high-ranking police officials. However, greater attention needs to be paid to administrative and internal discipline supervisory responsibilities. Systematic reporting and the gathering of crime statistics are improving. A database was inaugurated at the headquarters of the judicial police to centralize information on crimes and suspects. Safeguards will have to be developed to protect the right of individuals to be presumed innocent before judgement. The slowly developing investigative capacity of the Haitian National Police has resulted in the dismantling of armed gangs and car theft rings, as well as to an increase in the number of suspects arrested. With respect to crowd control, a second specialized unit has been consolidated and the capital and regional units have been strengthened. The deployment of the agents of the second specialized unit to patrol the streets of Port-au-Prince has been generally well received and has contributed to a sense of greater security. However, concerns have been expressed about the lack of clarity in the roles, rules of engagement, command structures and identification of the specialized units (given that different specialized units wear similar black uniforms). These issues have been discussed by MICIVIH with the Haitian National Police and MIPONUH.

8. Although significant progress has been made, logistical and other constraints continued to plague the force, particularly in small provincial police stations where the absence of supervision and shortage of resources (in particular functioning vehicles and communications) contribute to a sense of isolation, a lack of motivation and absenteeism. A strike by police agents dissatisfied with the extension of their daily duty period underlined the potential fragility of the institution. Plans to develop a police presence

in rural areas not covered by current police deployment were announced, but the project, involving the recruitment and deployment of three agents to each of the 565 communal sections, has not yet been finalized by the authorities.

9. Monitoring the human rights dimension of police conduct continues to be one of the most important activities of the Mission. While complaints of inappropriate behaviour by off-duty police appear to have decreased, incidents of ill-treatment and brutality are too regularly reported in some of the main police stations in the country. From January to May 1998, MICIVIH received 150 reports of beatings of suspected criminals and corroborated many of them through interviews of witnesses as well as detainees, a number of whom bore injuries or marks on their bodies consistent with their testimonies. These incidents marked a deterioration in the treatment of detainees in police custody. They also showed the reluctance of some supervisors to assume their disciplinary responsibilities, or, worse, their tolerance and even condoning of such practices. The most serious case documented during this reporting period was that of a detainee allegedly severely beaten in the Cap-Haïtien police station who died at the door of the local prison where police left him after prison officials refused to take him in because of his condition. Of particular concern were cases of ill-treatment such as cigarette burns, *kalot marasa* (simultaneous slaps on both ears which can damage the eardrums), blindfolding during interrogation and, in one case, a finger allegedly crushed with pliers. At the urging of MICIVIH, a number of regional and local police authorities issued instructions to put an end to such abuses. In June, for example, the *commissaire principal* for the West Department distributed a circular to all police commissioners in the metropolitan area warning them that they would be held responsible for cases of ill-treatment if they failed to take preventive action. However, continued vigilance by supervisory officers will be needed to ensure that ill-treatment does not become institutional practice.

10. Steps also need to be taken to ensure that suspects are not detained beyond the constitutionally stipulated 48-hour limit without appearing before a judge. This practice has developed on the grounds that police investigations need to be carried out. In some cases, extension orders have been issued illegally by justices of the peace and State prosecutors. MICIVIH broached the issue with the Police authorities.

11. The Haitian National Police specialized units came under severe criticism for the manner in which they acted in Mirebalais in February and in Milot in March. In Mirebalais, following the fatal shooting of a civilian, allegedly by the police, and the subsequent lynching of a police commissioner, they were accused of harassment, illegal detention and beatings. In Milot, they were blamed for the material destruction of a local radio station and the shooting of its watchman after a distillery was allegedly burnt by members of a local organization. MICIVIH raised its concerns regarding police conduct during these operations with government and police officials and in a press release to this effect. Regular police were also criticized for their heavy handling of a search operation at a clinic run by a women's organization in Port-au-Prince, although damage to the clinic did not appear to be as extensive as reported.

12. There were 13 reports of killings by police in the first five months of this year, compared to 22 for the same period in 1997. The drop was particularly noticeable in Port-au-Prince, where only two killings have been reported since the end of March. Seven cases had been reported earlier, four of which appeared to be human rights violations. Of particular concern was the alleged extrajudicial execution of two suspected gang members from Cité Soleil. Killings by police, especially in the crime-ridden neighbourhood of Cité Soleil, have taken place after a number of off-duty policemen were killed by armed gang members. To date, 43 Haitian National Police agents have been killed, 11 of them in 1998.

13. Though increasing attention is being paid to the conditions of service of the Haitian National Police rank and file, the Office of the Inspector-General continued to place the emphasis on the enforcement of accountability. In this regard, priority was given to tackling police involvement in drug trafficking, armed gangs and other crimes. Indeed, a number of police agents have been suspended, dismissed and/or taken into custody on such charges. Overall, during the first five months of the year, 292 police agents have been suspended, 72 agents dismissed and disciplinary action taken against 332 agents. Investigations were also carried out into the major incidents mentioned in paragraph 11 above. However, as previously reported (A/52/687, para. 14), those responsible for extrajudicial executions, beatings and other forms of ill-treatment, which, in a few cases, resulted in death, were not systematically punished. The functioning of the Office of the Inspector-General has benefited from the active presence and the technical assistance of both the civilian police advisers and technical advisers (the United Nations Development Programme (UNDP) and bilateral projects). Public pressure to deal harshly with armed criminals and possible corporate reactions by rank and file police have compounded the already sensitive task of the police leadership in balancing the competing dictates of internal discipline, morale and effective crime-fighting.

14. A new development in the area of police accountability was the role of Parliament in conducting enquiries into two of the above-mentioned major incidents, as well as in inviting the police leadership and executive oversight officials to appear before parliamentary committees for questioning on matters related to law and order. However, the laxity of the judiciary continues to undermine the efforts of the Office of the Inspector-General to pursue agents responsible for abuses or crimes. For instance, a police agent involved in numerous incidents and indicted for killing one person and injuring several others was released in March on spurious grounds. In most cases, judicial prosecutions have not been initiated for killings by police in suspicious circumstances and judges have failed to pursue cases of ill-treatment, even when detainees brought before them were visibly injured. MICIVIH has continued to urge the appointment of a special prosecutor for police crimes and abuses. At the same time, the Mission expressed its concerns about the legality of the administrative proceedings which consist of placing suspect police in disciplinary custody for a period of time (*isolement*).

15. MICIVIH continued to collaborate with the Haitian National Police and MIPONUH in the area of training, both in the field and at the Police Academy. The Mission is developing a six-part pilot course in community policing with the Police Academy, which will include an introduction to conflict resolution techniques. MICIVIH will also give supplementary training on human rights issues to the Haitian instructors, who will be running courses for the approximately 575 new recruits. In the field, training in the use of the *registre de rétention* remained a priority, because of flaws in record-keeping observed in many police stations. In an attempt to address other worrisome trends, such as abuse of police custody procedures and ill-treatment (see A/52/687, paras. 14 and 15), regional offices of the Mission organized seminars on specific human rights/legal issues, with MIPONUH support on technical aspects. The Mission also developed a more general human rights seminar for Haitian National Police agents, which includes themes such as communication skills, responsibilities of state agents and relations between police and population. This four-day seminar was held in several provinces. The case studies presented at these seminars were adapted from incidents investigated by the Mission in the course of its human rights monitoring activities. Police expressed appreciation that the seminars provided a forum in which they could analyse and discuss serious issues affecting their work and morale. The seminars also facilitated a better understanding of MICIVIH.

B. Local authorities/security guards

16. The issues of disarming municipal security officers and of monitoring private security companies were again broached by the directorate of the Haitian National Police and the Ministry of the Interior, which sought to obtain updated information on the weapons and the operating modalities of these entities.

17. For its part, the Mission expressed its concerns about excesses reportedly committed by public officials, including intimidation of judicial officials and the illegal distribution of State land, which led to clashes between the beneficiaries and the police. It also looked into reports of illegal arrests and detention, ill-treatment and extortion by members of the Conseil d'administration de section communale, who increasingly carry out law and order functions in rural areas because of the absence of police.

C. Prisons and detention centres

18. Observers throughout the country continued to monitor conditions of detention and to assess the judicial situation of detainees in order to facilitate the processing of cases. They also worked closely with prison record clerks to improve the maintenance of prison records as poor record-keeping contributes to irregularities, including the detention of individuals beyond the expiry of their sentence.

19. Despite some improvements in prison installations, such as the renovation of the National Penitentiary and the opening of a new prison in Carrefour, living conditions of detainees have been deteriorating. The prison population has mushroomed owing to the combination of slow judicial processing of cases and the increasing number of arrests by police. A MICIVIH survey in April showed a population of more than 3,300 in the 19 prisons, of whom only 626, some 19 per cent, have been sentenced. This has resulted in overcrowding, constraints on the provision of food and increased concerns for security. In some prisons, appalling sanitary conditions, lack of out-of-cell time and severe deficiencies in the provision of medical treatment have put at risk the health of prisoners. In the National Penitentiary itself, 27 prisoners have died since the beginning of the year, almost as many as during the whole of 1997.

20. As a result, the prison guards have been placed under greater pressure to assert their authority and maintain discipline. The Mission recorded a sharp increase in reports of beatings and other forms of ill-treatment by prison guards during 1998, including the first reported death of a detainee

following a severe beating. The prison guard allegedly responsible was taken into custody and judicial investigations began immediately. Administrative investigations in a few other cases of ill-treatment did result in ad hoc sanctions. MICIVIH conveyed its concerns about the ill-treatment of detainees and recommendations to the prison authorities in an aide-memoire in April 1998.

21. The recruitment and training of some 500 new prison guards, which began in May 1998, should eventually alleviate some of these problems. In the course of this training, MICIVIH has been invited to make presentations on human rights issues.

22. As reported previously, the prison reform sponsored by UNDP has been slowed down by the incorporation of the prison administration into the Haitian National Police. Internal prison regulations, a code of conduct for prison guards and formal procedures for investigating and sanctioning abuses by National Penal Administration (Administration pénitentiaire national (APENA)) guards have yet to be adopted. MICIVIH will provide technical assistance if so requested.

23. Special attention was again given to the question of minors in detention. The Mission has continued to stress the need for a fully functioning juvenile court and a special centre for juvenile delinquents. In the meantime, implementation of a pilot UNICEF-sponsored education programme for a group of minors at the prison was an important step towards improving their conditions and facilitating rehabilitation.

D. System of justice

24. Despite difficulties of all types, the Haitian Government's efforts to reform the judicial system are slowly proceeding. The law on judicial reform was approved by Parliament in April 1998. MICIVIH continued to collaborate with the Commission préparatoire à la réforme du droit et de la justice. In December, the Commission completed its draft general policy document. The report focuses on access to justice, independence of the judiciary, the adoption of due process of law requirements based on the constitution and international treaties ratified by Haiti, as well as the development of conciliation procedures. Importance is given to the broad participation of civil society in the transformation of law and justice. The document has been circulating for comments and discussion since January, but needs to be supplemented by an administrative document and an action plan. Greater interface is required between the Commission préparatoire à la réforme du droit et de la justice and other institutions (bar associations, law schools and the École de la Magistrature), which will have to play an important role in implementing the reform. Similarly, closer coordination between the Government and Parliament on judicial and legal reform issues and projects is needed. The Haitian authorities and international donors, with the active participation of MICIVIH, met in early July to take stock of the different projects being developed in the justice sector and to improve their coordination in implementing judicial reform. To this end, agreement was reached on a number of short-term actions to improve the functioning of the judicial system.

25. A series of administrative measures taken over the last six months should allow State prosecutors and judges to better carry out their tasks. With MICIVIH's logistical assistance, an inventory of equipment is being drawn up in all *cabinets d'instruction* and case registers have been distributed to examining magistrates with a view to improving case tracking and the collection of statistics. Two consultants, sponsored by MICIVIH at the request of the Ministry of Justice, reviewed the pilot prosecution case-tracking system. They recommended that the system be extended from the present 6 to all 15 jurisdictions and to improve its implementation by providing more on-the-job training.

26. MICIVIH gave several training sessions to judicial officials at the École de la Magistrature and in the provinces, covering topics such as habeas corpus, the application of international human rights treaties by Haitian courts, the rights of the child in the administration of justice and conciliation and mediation techniques. In May 1998, the first group of 60 judges graduated from the École after completing six months of theoretical and practical training. It is hoped that their deployment will lead to significant improvements in the administration of justice.

27. As mentioned above, illegal or prolonged pre-trial detention continues to be a serious concern. The traditional but illegal practice of detaining persons for civil debts, for so-called superstitious practices and for not respecting parental authority persisted. More generally, pre-trial detention is commonly considered an acceptable form of punishment. Not only does this approach contradict the fundamental judicial tenet of the presumption of innocence, it also opens the door to the potential retributive abuse of arrest and detention procedures and impedes efforts to strengthen respect for due process and the rule of law. In like manner, political considerations and security concerns should not be allowed to outweigh the burden of proof requirements on the scales of justice when arrest and detention decisions are made, nor should they militate

against prompt compliance by State prosecutors with judicial decisions to release detainees. A recent example of this worrisome trend is that of prominent lawyer, Osner Fevry, detained since March 1998 on assault charges despite release orders by the judge-in-chambers and the examining magistrate. The Mission has repeatedly expressed its concerns and misgivings to the pertinent authorities, both publicly and in confidential correspondence, concerning non-respect of judicial decisions, as well as the prolonged and sometimes arbitrary detention of persons suspected of being responsible for serious past, but unjudged, offences. Some of these detainees, such as Messrs. Evans François, Claude Raymond and Patrick Moïse, have been in prison for more than two years, in spite of orders for their release and/or their virtually empty or non-existent judicial dossiers.

28. MICIVIH worked closely with judicial and prison officials to expedite proceedings on the many cases of detainees held for long periods without trial. Some judges and State prosecutors showed strong determination to administer justice in a more effective way, resisting popular pressure and overcoming other obstacles. Others lacked the necessary motivation and competence. In several regions, the Mission organized days of reflection on extended pretrial detention, which allowed for fruitful discussions of ways to remedy the situation. The Ministry of Justice has also taken steps to address the issue. An office comprising an assistant State prosecutor, a judicial inspector and a records clerk was set up within the National Penitentiary to process cases of pre-trial detention more expeditiously. A recent circular reminded all judges of their duty to visit prisons and detention centres every month. These visits are to be monitored by judicial inspectors. Ministry officials have also started to collect judicial statistics in an effort to oversee the work of judicial officials. These measures should lead to more diligent pursuit of judicial proceedings against detainees.

29. Relations between judicial and police officials were often strained. Police criticized judicial officials for releasing detainees without cause, and judicial officials accused police of failing to comply with judicial orders. To bring about a better understanding of mutual roles, MICIVIH facilitated meetings between the different institutions. Moreover, a MICIVIH consultant on criminal investigations prepared a draft plan for joint training for judicial police, examining magistrates and State prosecution officials. The Justice Ministry recently gave instructions to the École de la Magistrature to implement the proposal.

E. Office of the Ombudsman

30. The Office of the Ombudsman (Bureau du Protecteur du citoyen) is a key mechanism for the protection of human rights. Its institutional development has been hampered by budgetary constraints and delays in the appointment of a deputy and advisory board. Though the Office receives complaints, it is not yet perceived as an obvious institutional recourse when violations occur. Earlier this year, it organized a conference to discuss the possible broadening of its mandate. The Office, which has benefited until recently from MICIVIH's technical assistance, needs to further strengthen its existing structure.

F. Impunity, compensation and rehabilitation of victims of past abuses

31. Organized groups of victims of the *coup d'état* increased in visibility, most prominently with ongoing weekly demonstrations in front of the National Palace in Port-au-Prince and in Les Cayes. The Mouvement d'appui aux victimes de la violence organisée conducted a research project to identify groups of victims who may be eligible for compensation/rehabilitation. The project culminated in a 60-delegate national conference in May to debate the findings of a report and make recommendations for a national policy. MICIVIH has been assisting the Mouvement and other victim support organizations such as the Fondation 30 Septembre in their activities. The Mission has sought to stimulate the debate on impunity further by making public presentations and preparing for publication a document incorporating the draft United Nations principles on this issue.

32. As public debate, interest and awareness of the issue of impunity and compensation continued to grow, the Justice Ministry established an office, the Bureau poursuite et suivi, to handle the issue of compensation for victims of the *coup d'état* period. With a budget of 60 million gourdes, the office has three main areas of work: social, economic and legal/medical assistance. Rigorous guidelines for selecting victims/projects need to be drawn up. A pilot project for the reconstruction of homes destroyed by the military in the South region is to be completed shortly. At the recent request of the Bureau, MICIVIH is currently distributing copies of the February 1996 report of the National Truth and Justice Commission throughout the country.

33. Following the appointment of a special Justice Ministry coordinator for the Raboteau massacre proceedings and the strengthening of the criminal justice system in

Gonaïves, progress was made in judicial investigations and several new arrests took place. At the request of the examining magistrate and victims, MICIVIH submitted information that it had gathered on the massacre during the *coup d'état* period. It also sponsored the return to Haiti of two forensic anthropologists and a DNA expert to present their findings to the examining magistrate. In a press release to mark the fourth anniversary of the Raboteau massacre, the Mission repeated its call for the handing over to the Haitian authorities of the documents of the armed forces of the Front révolutionnaire pour l'avancement et le progrès d'Haiti seized by the United States military in 1994, in the belief that they may contribute to the prosecution of past human rights violations. Requests for the extradition of members of the military high command, in the context of the Raboteau investigation, were reportedly rejected by recipient countries on legal grounds.

34. Few other cases of human rights violations of the *coup d'état* period progressed before the courts, although isolated arrests were made in some cases. Recently, decisions were taken to initiate or reactivate the prosecution of two cases which predate the *coup d'état* and have remained in abeyance.

IV. Human rights promotion

35. The Mission's human rights promotion programmes addressed specific groups through educational seminars and the broad public through information and cultural programmes. In order to better adjust its human rights promotion messages and strategies, MICIVIH carried out an internal assessment of the impact, strengths and weaknesses of its educational programmes and an outside evaluation of its radio and television campaign. The complete findings of the evaluation are currently being finalized.

36. The long-sought objective of integrating human rights and civic education in the school curriculum came a step nearer when the Ministry of Education asked MICIVIH, as well as Haitian non-governmental organizations (NGOs), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund, to participate in a working commission on civic education to develop primary school curricula and texts.

37. The pedagogical and organizational skills of MICIVIH-trained animators have been enhanced by a number of two-day seminars conducted around the country. Workshops on the rights and responsibilities of citizens in a democratic society continued to be carried out by these trainers with MICIVIH support. The Mission aims at consolidating local trainer networks by the end of the year.

38. MICIVIH's programme in non-violent conflict resolution, with specific technical and financial support by the OAS Unit for the Promotion for Democracy, has also gone through a period of evaluation. As a result, the focus has been placed on training judges and police in mediation techniques and publishing more extensively the Mission's work in this relatively unknown field in Haiti. With respect to judges, all 60 students at the École de la Magistrature received a two-day training in mediation in January, while presentations were made to judges in several regions. An evaluation of the use of mediation techniques by judges in the Artibonite region began. Work with peasant groups in the Artibonite was being wound down and a report prepared.

39. Capacity-building of human rights organizations continued with the major thrust on strengthening new groups active in the monitoring of conditions of detention in prisons and police stations. With MICIVIH support, a two-day seminar was held in January to evaluate the development of the Inter-NGO Working Group on Visits to Prisons and Detention Centres. Two new local committees were subsequently launched, bringing the current total number of local committees to seven. Most major Haitian human rights groups are part of the network, which is interested in rehabilitation and alternatives to detention as well as verification. Productive dialogue has been established between these committees and local and national prison officials.

40. The Mission continued to maintain good working relationships with the major local human rights NGOs and to provide technical and training support when requested. For the last two years, the Mission has been regularly giving training sessions on human rights monitoring to groups of individuals collaborating with the National Coalition on Haitian Rights. Another of the main human rights organizations, the Plateforme des organisations Haïtiennes des droits de l'homme, is in the process of setting up a national network of monitors. At a recent meeting between MICIVIH directors and the leadership of the nine-member Plateforme, the Mission offered its assistance in this domain.

41. The celebration of the fiftieth anniversary of the Universal Declaration of Human Rights has become a main feature of the Mission's promotional activities. A variety of programmes are being undertaken with a wide range of local partners and United Nations specialized agencies. Massive distribution of the Universal Declaration in Creole has begun and MICIVIH is providing essential support to a UNESCO-originated contest and curriculum programme

intended to reach 15,000 schools. Radio debates, human rights collections for libraries, a compact disc of human rights music, a travelling exhibition and theatre and film programmes are among the activities being developed. One of the first initiatives was the participation of a MICIVIH float in Jacmel's carnival in February.

42. With the addition of 15 non-commercial community radio stations, MICIVIH's network of radio and television stations broadcasting civic education spots and programmes increased to 58 radio and 14 television stations. Radio programmes on the struggle against impunity and on summary justice were completed. A new series of radio and television spots began in May, enlarging upon the theme of the citizen's role in making the justice system work. MICIVIH now sponsors civic education programmes in several towns, where local officials, primarily judicial and police, make presentations and take questions from the public. With MICIVIH and MIPONUH support, Télévision nationale d'Haïti began working on a series of five hour-long programmes on human rights, to be broadcast later in 1998.

V. Conclusion

43. On the surface, the human rights situation in Haiti appears to be relatively healthy, despite certain slippages with regard to the enjoyment of fundamental freedoms and individual liberties. Institution-building, however, is seriously hampered by the prolongation of the political crisis. To the extent that the crisis is blamed on political leaders, it is having an insidious and corrosive effect, not only on the authority of the State, but also on institutional behaviour. Despite efforts by police authorities to strengthen internal discipline, the worrisome trends of police involvement in crime and drug-trafficking, the ill-treatment of persons in police custody and the misuse of the law as a form of retribution are symptomatic of the weakening of institutional authority and responsible behaviour. As such, the continuation of the crisis will create a climate increasingly inimical to the development and consolidation of institutions charged with maintaining law and order and with guaranteeing respect for human rights and the rule of law. In such a context, the observation, promotion and institution-building responsibilities of MICIVIH continue to be vital contributions to the efforts of the Haitian authorities to fight impunity, to hold State agents accountable for their actions and to reform and consolidate these key institutions.

Notes

[1] Mob lynchings of suspect criminals or alleged sorcerers continue to be of concern. 53 people were reportedly killed in 28 incidents in 1998 (59 were reportedly killed in 33 incidents during the same period last year).